

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF WEST VIRGINIA**

KEITH REED, LISA DOLENCE,
ELIZABETH SCHENKEL, EMILY WINES,
MARK GARAN, CHRISTINA LUCAS, and
AUGUST ULLUM, individually and on
behalf of others similarly situated,

Plaintiffs,

v.

ALECTO HEALTHCARE SERVICES LLC,
and ALECTO HEALTHCARE SERVICES
WHEELING, LLC d/b/a OHIO VALLEY
MEDICAL GROUP and d/b/a OVMC
PHYSICIANS,

Defendants.

Case No. 5:19-cv-00263-JPB

Judge John Preston Bailey

CLASS ACTION

APPENDIX TO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION

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Dated: April 7, 2022

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INDEX OF EXHIBITS

APPENDIX EXHIBIT NO.	DESCRIPTION
1	Declaration of Maureen Davidson-Welling, Esquire, in Support of Plaintiffs' Motion for Class Certification
2 CONFIDENTIAL	AHS Amended and Restated Operating Agreement (DEFENDANTS 35970–36012)
3	May 10, 2021 Letter from K. Carr to B. Pomponio regarding subpoena served upon Alecto Healthcare Services Ohio Valley, LLC ("AHSOV")
4 CONFIDENTIAL	January 26, 2017 Asset Purchase Agreement between four West Virginia and Ohio hospitals and Alecto subsidiaries, and as to only one section, Alecto Healthcare Services (DEFENDANTS 2022–2130)
5	September 2, 2019 Letter to Governor Justice (DEFENDANTS 16435–16440)
6 CONFIDENTIAL	Amended and Restated Alecto Healthcare Services Ohio Valley, LLC Agreement (DEFENDANTS 16449–16526)
7	May 18, 2020 Article from <i>The Intelligencer</i> re sale of EORH
8	MPT and subsidiaries unaudited pro forma condensed consolidated financial statement filed with SEC
9 CONFIDENTIAL	May 31, 2017 Amended Restated Operating Agreement of AHSW (DEFENDANTS 2212–2226)
10	August 7, 2019 Email chain from J. Coelho to J. Redin re Accounts Payable (DEFENDANTS 28041–28042)
11 CONFIDENTIAL	June 1, 2017 Management Services Agreement whereby subsidiaries hire Alecto Healthcare Services LLC as the "manager" for OVMC and EORH. (DEFENDANTS 2190–2211)
12 CONFIDENTIAL	3/18/19 Email chain from M. Sarrao to J. Meeks re follow-up with three attachments (DEFENDANTS 33041–33053)
13	July 3, 2019 Email attaching draft WARN notices (DEFENDANTS 32105–32110)
14 CONFIDENTIAL	July 23, 2019 Confidential Memorandum from AHS Managers (DEFENDANTS 31998–32009)
15	July 29, 2019 Email from J. Coello summarizing info from M. Bradshaw (DEFENDANTS 19644)
16	August 7, 2019 Press Release (DEFENDANTS 32086–32087)

APPENDIX EXHIBIT NO.	DESCRIPTION
17	August 7, 2019 Email to CNF with press release, Q&A, timeline, and talking points attachments (DEFENDANTS 32039–32059)
18 CONFIDENTIAL	March 29, 2019 Email from R. Krissman re OVMC w/o attachments (DEFENDANTS 35154–35155)
19 CONFIDENTIAL	July 29, 2019 Email from M. Sarrao re closing OVMC and EORH (DEFENDANTS 35461)
20	August 4, 2019 Email from M. Sarrao to D. Dunmyer (DEFENDANTS 19660–19661)
21	August 8, 2019 Letter from M. Sarrao to Jolynn Mara of WV Department of Health & Human Resources w/ attached timeline (DEFENDANTS 7–11)
22	August 8, 2019 Letter from D. Dunmyer to Mayor Robert Krajnyak regarding EORH closure (DEFENDANTS 87–88)
23	August 8, 2019 Notice to Employees of Permanent Closure of OVMC (DEFENDANTS 82)
24	August 19, 2019 MRI Shutdown email from D. Dunmyer (DEFENDANTS 17589)
25 CONFIDENTIAL	September 3, 2019 Office Building Eviction email (DEFENDANTS 15138)
26 CONFIDENTIAL	August 15, 2019 Letter to patients from Prescription Center at OVMC (DEFENDANTS 33025)
27 CONFIDENTIAL	August 26, 2019 Email chain with Dianna Ciancone re Huddle Highlights (DEFENDANTS 2730)
28	August 6, 2019 Email from M. Sarrao re closure timelines with attachments (DEFENDANTS 31919–31922)
29 CONFIDENTIAL	September 3, 2019 Email from M. Sarrao to G. Carlis attaching press release (DEFENDANTS 32016–32018)
30	Excerpts from Response to Defendants' First Set of Interrogatories, Requests for Production of Documents, and Requests for Admission to Plaintiff Keith Reed, dated February 7, 2022
31	September 3, 2019 Email from K. Reed to Z. Elerick (REED 00001)
32 CONFIDENTIAL	September 4, 2019 Email chain with M. Serig (DEFENDANTS 3371–3372)
33	October 1, 2019 Email from M. Sarrao regarding Staffing (DEFENDANTS 25373)

APPENDIX EXHIBIT NO.	DESCRIPTION
34	Defendants' Answers to Plaintiffs' Second Set of Interrogatories, dated April 21, 2021
35 CONFIDENTIAL	Employee List with reasons for separation (DEFENDANTS 14758)
36 CONFIDENTIAL	Employee Census by hospital as of August 25, 2021 (DEFENDANTS 16730–16761)
37	Declaration of Keith Reed in support of Class Certification
38	Declaration of Emily Schenkel in support of Class Certification
39	Declaration of Emily Wines in support of Class Certification
40	Declaration of Lisa Dolence in support of Class Certification
41	Declaration of August Ullum, II, in support of Class Certification
42	Declaration of Mark Garan in support of Class Certification
43	Defendants' Answers to Plaintiffs' First Set of Request for Admissions, dated April 21, 2021
44	August 23, 2019 Email from D. Dunmyer re Ordering (DEFENDANTS 17440)
45	September 4, 2019 press release announcing closure of OVMC acute and emergency medical services (DEFENDANTS 16762–16763)
46	Declaration of Bren Pomponio in Support of Motion to Appoint Class Counsel Pursuant to F.R.C.P. 23(g)
47	Declaration of Alex Risovich in Support of Motion to Appoint Class Counsel Pursuant to F.R.C.P. 23(g)
48	Declaration of Laura Davidson in Support of Motion to Appoint Class Counsel Pursuant to F.R.C.P. 23(g)
49	Declaration of Maureen Davidson-Welling in Support of Motion to Appoint Class Counsel Pursuant to F.R.C.P. 23(g)
50	Declaration of John Stember in support of Motion to Appoint Class Counsel Pursuant to F.R.C.P. 23(g)
51	Declaration of Timothy Cogan in support of Motion to Appoint Class Counsel Pursuant to F.R.C.P. 23(g)
52 CONFIDENTIAL	AHSOV and AHSW Consents to Join Loan Agreements (DEFENDANTS 16542–16549)
53 CONFIDENTIAL	Excerpt of J.B. Dev. Timecard data (DEFENDANTS 16769)

Respectfully submitted,

/s/Bren Pomponio

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CERTIFICATE OF SERVICE

I hereby certify that on this date I electronically filed the foregoing **APPENDIX TO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION** was filed with the Clerk of Court using the Court's CM/ECF system, which will send notifications of such filing to the following:

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